

Union Calendar No.

118TH CONGRESS
1ST SESSION

H. R. 3395

[Report No. 118-]

To direct the Chairman of the Federal Maritime Commission to seek to enter into an agreement with a federally funded research and development center to evaluate foreign ownership of marine terminals at the 15 largest United States container ports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2023

Mr. AUCHINCLOSS (for himself and Mr. WEBSTER of Florida) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

JUNE --, 2023

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 17, 2023]

A BILL

To direct the Chairman of the Federal Maritime Commission to seek to enter into an agreement with a federally funded research and development center to evaluate foreign ownership of marine terminals at the 15 largest United States container ports, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “U.S. Supply Chain Se-*
5 *curity Review Act of 2023”.*

6 **SEC. 2. STUDY ON FOREIGN PORTS.**

7 (a) *IN GENERAL.*—*Not later than 90 days after the*
8 *date of enactment of this Act, the Chairman of the Federal*
9 *Maritime Commission shall seek to enter into an agreement*
10 *with a federally funded research and development center to*
11 *evaluate how foreign ownership of marine terminals at the*
12 *15 largest United States container ports affects or could af-*
13 *fect United States economic security.*

14 (b) *CONTENTS.*—*In carrying out the study under sub-*
15 *section (a), the center selected under such subsection shall—*

16 (1) *consider—*

17 (A) *changes in ownership of the 15 largest*
18 *United States container ports over the past 10*
19 *years as well as announced ownership changes*
20 *from 2023 and 2024;*

21 (B) *instances of ownership in individual*
22 *marine terminals and cumulative ownership by*
23 *Chinese or Russian entities or nationals;*

1 (C) instances of ownership in individual
2 marine terminals and cumulative ownership by
3 any foreign entity;

4 (D) the amount of—

5 (i) Port Infrastructure Development
6 Grant funds since fiscal year 2018 that
7 have gone to ports and marine terminals
8 that are owned wholly or partially foreign
9 owned; and

10 (ii) Port Security Grant funds since
11 fiscal year 2003 that have gone to ports and
12 marine terminals that are owned wholly or
13 partially foreign owned; and

14 (E) where ownership exists, a detailed de-
15 scription of foreign operational control including
16 both affirmative and negative control; and

17 (2) offer recommendations on—

18 (A) policies by ports and marine terminal
19 operators to prevent excessive foreign ownership
20 that could threaten United States economic secu-
21 rity;

22 (B) whether ownership affords the foreign
23 owner access to operational technology and infor-
24 mation unique to the United States and other-
25 wise unavailable; and

1 (C) *whether foreign ownership has or could*
2 *affect the supply chain and policies related to the*
3 *prioritization of certain cargoes.*

4 (c) *REPORT.—Not later than 1 year after the initi-*
5 *ation of the evaluation under subsection (a), the Chairman*
6 *of the Federal Maritime Commission shall submit to the*
7 *Committee on Commerce, Science, and Transportation of*
8 *the Senate and the Committee on Transportation and In-*
9 *frastructure of the House of Representatives the results of*
10 *such evaluation.*